

**REMARKS**

Claims 1-24 are pending in this application. By this Amendment, claims 1, 13 and 19 are amended. Claims 20-24 are new.

Applicants appreciate the courtesy shown to Applicants' representative by legal instrument Examiner Denise Hopkins in the April 26<sup>th</sup> and 27<sup>th</sup> telephone interviews. Applicants separate record of the substance of the interview is incorporated into the following remarks.

During the telephone interviews, Applicants' representative explained to Examiner Hopkins that the Notice of Non-Compliant Amendment attached to the November 9, 2005 Office Communication was not received in the offices of the undersigned. A search of the file jacket, the computerized docket record and the secondary docket records confirm that the November 9, 2005 Office Communication was not received (copies attached). Additionally, a copy of the file cover confirms the only entry between filing the October 26, 2005 Amendment with Petition for Extension of Time and this reply to the Notice of Non-Compliant Amendment is an Information Disclosure Statement filed January 13, 2006. Any received Office Communication would be entered on the file cover, in the computerized docketing system and in the secondary docketing system.

Further, attached is a copy of the cancelled check showing that the Patent Office processed check number 172270 for the Petition for Extension of Time filed with the Amendment on October 26, 2005. Additionally, the PTO deposit account was charged \$200 code 1202 claims in excess of 20, on November 9, 2005. The charge appears to result from the filing of the October 26, 2005 Amendment, in which five new claims were added. Accordingly, it is clear that the PTO did in fact accept the Petition for Extension of Time and the October 26, 2005 Amendment was timely filed. Thus, the period for extension commences from the November 9, 2005 Office Action.

During the telephone interview, Examiner Hopkins indicated that she believed this case might be abandoned. However, Examiner Hopkins is respectfully reminded that if the Non-Compliant Amendment is in reply to a non-final Office Action and since the Amendment appears to be a bonafide attempt to reply (37 C.F.R. §1.135(c)), Applicants are given a time period of one month from the mailing of the Notice of Non-Compliant Amendment is notice within which to resubmit the corrected section, which complies with 37 C.F.R. §1.121 in order to avoid abandonment. Extensions of this time period are available under 37 C.F.R. §1.136(a). As indicated in item 4e of the Notice of Non-Compliant Amendment, the Amendment filed October 26, 2005 was not signed. Accordingly, filed herewithin is the October 26, 2005 Amendment with signature. Applicants respectfully request that the Amendment be entered and considered along with the attached Petition for Extension of Time.

**I. Claim Rejections Under 35 U.S.C. §102**

Claims 1, 3, 6, 13, 15, 18-19 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2002/0164003 to Chang et al. (hereinafter "Chang"). The Office Action asserts that Chang discloses an IP telephone apparatus (Figs. 9a & 9b) having a telephone calling function and a network calling function. Additionally, the Examiner asserts that Chang discloses a calling function detection unit (button 134 is used to toggle between an internet-based telephone call and a PSTN network telephone call) (paragraphs 0072, 0073-0076). Applicants respectfully traverse this rejection.

Nothing in Chang teaches that when the personal computer receives the access signal from the computer network indicating an incoming call the IP telephone apparatus is notified via the personal computer control signal. Instead, Chang discloses a manual system where the operator switches between either an analog based signal or an internet based signal. Therefore, nothing in Chang either supports, discloses or teaches the present invention.

Based on the discussion above, we believe that independent claims 1, 13 and 19 and dependent claims 3, 6, 15 and 18 are in condition for allowance. We respectfully request the Examiner reconsider and withdraw the rejections.

**II. Claim Rejections Under 35 U.S.C. §103**

Claims 6, 9, and 18 are rejected under 35 U.S.C §103(a) as being unpatentable over U.S. Patent No. 6,404,764 to Jones et al. (hereinafter "Jones") in view of Chang. Dependent claims 6, 9 and 18 are dependent in some form on independent claims 1, 13 and 19. Based on the discussion above, we believe that independent claims 1, 13 and 19 are in condition for allowance, and therefore dependent claims 6, 9 and 18 are also in condition for allowance. We respectfully request that the Examiner reconsider and withdraw the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Kurt P. Goudy  
Registration No. 52,954

JAO:KPG/tbm

Attachment:

- Copy of computerized docket records
- Copy of secondary docket records
- Copy of file cover
- Copy of front and back of cancelled check
- Copy of PTO deposit account statement

Date: May 5, 2006

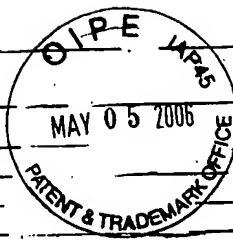
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**DEPOSIT ACCOUNT USE  
AUTHORIZATION**

Please grant any extension  
necessary for entry;  
Charge any fee due to our  
Deposit Account No. 15-0461

# CASE DETAIL REPORT

Docket No: 117279



<b>Status:</b> Published	<b>Creation Date:</b> September 23, 2003
<b>Property Type:</b> Patent	<b>Modified Date:</b> March 31, 2006
<b>Category:</b> Normal	<b>Billing Attorney:</b> James A. Oliff
<b>Country:</b> U.S.	<b>Working Attorney:</b> Kurt Goudy
<b>Expiration:</b>	<b>Paralegal:</b> Felicia Powell
<b>Next Renewal:</b>	
<b>Title:</b> IP Telephone Apparatus and IP Telephone System	

<b>Priority Date:</b> September 30, 2002	<b>Entity Size:</b> Large Entity
<b>Application No:</b> 10/667,425	<b>Application Date:</b> September 23, 2003
<b>Registration No:</b>	<b>Registration Date:</b>
<b>Publication No:</b> US-2004-0109442-A1	<b>Publication Date:</b>
<b>Group Art Unit:</b> 2643	<b>Rank:</b>

<b>Client:</b> NGB CORPORATION	<b>Client Ref 1:</b> B01-159214M/TRK
<b>Client No:</b> 10573	<b>Client Ref 2:</b> 20034274-01/Code: 57RJ11
<b>Agent:</b>	<b>Agent Ref:</b>
<b>Assignees:</b> BROTHER KOGYO KABUSHIKI KAISHA	<b>Inventors:</b> Tokunori KATO Susumu CHIDA Takeshi IZAKI

<b>Class:</b>
<b>Good/Services:</b>
<b>Remarks:</b> DECL, ASSIGN, IDS, CFP FLD 9/23/03. REQ FOR CRCT PALM RECORDS FLD 2/13/04. UPDATED OFR REC'D 3/8/04.

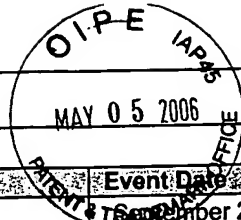
Related Cases				
Case No.	Relationship	Country	Official Number	Priority Date
	Related Case	JP	2002-285186	September 30, 2002
	Related Case	JP	2003-112335	April 17, 2003

Standing Instructions		
Instruction Type	Instruction	Responsible Party
Renewal	Renew only after instruction	OLIFF & BERRIDGE, PLC
Renewal Reminder	All reminders	OLIFF & BERRIDGE, PLC

Event Description	Event Date	Due Date	Notes
Status Check/Response to 3 month OA filed		April 26, 2006	
PUBLICATION - Mail Date	September 30, 2002		NOTES :PROJECTED PUB DATE: 6/10/04.
Earliest priority date	September 30, 2002	September 30, 2002	
FF INSTRUCTIONS RECD - Mail Date	September 23, 2003		
FF REMINDER - Mail Date	September 23, 2003		
FILG RCPT STATUS CHK - Mail Date	September 23, 2003		
FOREIGN FILING DUE - Mail Date	September 23, 2003		
IDS C/U - Mail Date	September 23, 2003		
INF DISCLOSURE STMT - Mail Date	September 23, 2003		
Instructions received date for new case	September 23, 2003		
NOTIFY CLIENT OF FF - Mail Date	September 23, 2003		
OA STATUS CHECK - Mail Date	September 23, 2003		
Recordation Date	September 23, 2003		
Application Filing Date	September 23, 2003	September 23, 2003	10/667,425
Converted Renewal Date	September 23, 2003	September 23, 2003	

# CASE DETAIL REPORT

Docket No: 117279



Event Description	Event Date	Due Date	Notes
Date of entry	September 23, 2003	September 23, 2003	
APPLICATION DUE - Due Date	September 23, 2003	September 30, 2003	
IDS C/U - Due Date	September 23, 2003	November 23, 2003	
INF DISCLOSURE STMT - Due Date	September 23, 2003	December 23, 2003	
NOTIFY CLIENT OF FF - Due Date	September 23, 2003	March 23, 2004	
FF REMINDER - Due Date	September 23, 2003	June 23, 2004	
FF INSTRUCTIONS RECD - Due Date	September 23, 2003	August 23, 2004	
FOREIGN FILING DUE - Due Date	September 23, 2003	September 23, 2004	
APPLICATION DUE - Mail Date	September 30, 2003		
NTC TO CRCT APPLN - Mail Date	December 16, 2003		
FILG RCPT STATUS CHK - Due Date	December 18, 2003	February 23, 2004	
NTC TO CRCT APPLN - Due Date	February 13, 2004	February 16, 2004	
NTC TO CRCT APPLN - Final Date	February 13, 2004	June 16, 2004	
Information Disclosure Statement	April 2, 2004		
Notice to File Missing Parts/Declaration received	April 2, 2004	December 23, 2003	
Fax Postcard	April 2, 2004	April 14, 2004	
Electronic Copy received	April 2, 2004	June 24, 2004	
Notice of Recordation received	May 4, 2004		
Notice of Publication Received	July 1, 2004	May 23, 2005	
Status Check Filed	March 23, 2005		
Office Action Status Check	March 23, 2005	March 23, 2005	
3 month Office Action mail date	July 1, 2005		
Status reply Received	July 5, 2005	September 23, 2005	
NGB Comment Letter Due	August 5, 2005	August 5, 2005	
Instructions Received/Reminder Letter	September 26, 2005	September 24, 2005	
3 month Office Action Due	October 3, 2005	October 1, 2005	
Miscellaneous (Exam)	October 13, 2005	October 13, 2005	PROPOSED AMENDMENT SENT TO CLIENT?
Response to 3 month Office Action Filed	October 26, 2005		
IDS Call up/Exam	December 23, 2005		
Information Disclosure Statement/Exam	January 13, 2006	January 13, 2006	
Date of last change	March 31, 2006	March 9, 2004	
Converted Expiration Date	September 23, 2023	September 23, 2023	

## OLIFF &amp; BERRIDGE U.S. PATENT AND TRADEMARK DOCKET

MAY 05 2006

DATE: DECEMBER 9, 2005 (FRIDAY)

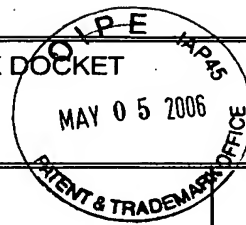
PAGE 1 OF 2

	RETTEBACHER, 483,221 DGA/D4S/SBGG/BPI	(FLD 11/1/05) REJECTION DUE	417997
	YAMASAKI, 652,516 SEIKO-EPSON	(PD 11/25/05) ISSUE FEE DUE (PD 11/25/05) PUB-FEE DUE (NOT NEEDED 09/22/05) FORMAL DRAWINGS DUE	416654
	TANAKA, 808,354 SHIGA INTERNATIONAL	(PD 12/09/05) ISSUE FEE DUE (PD 12/09/05) PUB-FEE DUE (NOT NEEDED 9/26/05) FORMAL DRAWINGS DUE	411988.01
	UMEYA, 270,096 KYOWA PATENT OFFICE	(FLD 12/5/05) ISSUE FEE DUE PUB-FEE DUE (FLD 9/16/05) FORMAL DRAWINGS DUE	423729
	KASHIMA, 250,779 KYOWA PATENT	(FLD 12/5/05) ISSUE FEE DUE PUB-FEE DUE (NOT NEEDED 09/22/05) FORMAL DRAWINGS DUE	423818
	KAGAMI, 013,743 SHINOMIYA PATENT	(NOW DUE 01/09/06) REJECTION DUE	413902.01
	KATAYAMA, 220,129 BROTHER INDUSTRIES, LTD.	(PD 11/30/05) ISSUE FEE DUE (PD 11/30/05) PUB-FEE DUE (NOT NEEDED 09/22/05) FORMAL DRAWINGS DUE	421909
	UCHIDA, 860,153 SEIKO-EPSON	(PD 12/2/05) ISSUE FEE DUE (PD 12/2/05) PUB-FEE DUE (NOT NEEDED 9/15/05) FORMAL DRAWINGS DUE	419549
	AOKI, 050,831 SEIKO-EPSON	(FLD 12/09/05) REJ DUE	411469
	UEKI, 375,133 KATAYAMA & PARTNERS	(ABDN PER 12/07/05 INSTRUCT) REJ DUE	415208
	KAWAI, 391,599 TOYOTA TECHNO	(FLD 12/7/05) REJ DUE	414858
	FUJITA, 776,611 PATENT DEVELOPMENT	(NOW DUE 01/09/06) REJ DUE	418630
	SUGIURA, 486,889 AISIN-AW	(EXT TO 01/09/06) REJ DUE	418170
	MURADE, 778,304 SEIKO-EPSON	(PD 12/2/05) ISSUE FEE DUE (PD 12/2/05) PUB-FEE DUE (FLD 9/21/05) DRAWINGS DUE	409337.01
	SASAKI, 999,013 SOEI PATENT	(FLD 12/09/05) REJ DUE	421902
	SASAKI, 984,758 SOEI PATENT	(FLD 12/09/05) REJ DUE	421703

	FUWA, 863,489 KITAZAWA & KOIZUMI	(AAFR 12/8/05) FR / (EXT TO 1/9/06) NOA DUE	440732
	HAYASHI, 082,250 TAIYO NAKAJIMA	(NOW DUE 01/09/06)FR/NOA DUE	442052
	UEKI, 375,110 KATAYAMA & PARTNERS	(FLD 12/09/05)REJ DUE	445207
	GAUTHIER, 872,453 NONY	(NOW DUE 01/09/06)REJ DUE	442043
	OHTSU, 099,554 FUJI XEROX	(FLD 12/09/05)REJ DUE	446295.04



## OLIFF &amp; BERRIDGE U.S. PATENT AND TRADEMARK DOCKET



DATE: DECEMBER 9, 2005

PAGE 2 OF 2

	OKA, 778,538 SEIKO-EPSON	(PD 11/21/05) ISSUE-FEE DUE (PD 11/21/05) PUB-FEE DUE (NOT NEEDED 09/22/05) DRAWINGS DUE	118341
	KONDO, 804,060 SEIKO-EPSON	(FLD 11/10/05) FR/(NOW DUE 01/09/06) NOA DUE	118944
	HIJAKATA, 471,530 K. WATANABE	(AAFR FLD 12/09/05) FR/(NOW DUE 01/09/06) NOA DUE	117120
	IKENOUE, 387,518 IKEDA PATENT	(ABANDONED 10/27/05) REJ DUE	115444
	YOKOYMAMA, 609,665 SEIKO-EPSON	(ABDN PER CLIENTS INSTRUCT) REJ DUE	116187
	SUGIURA, 322,688 MEISEI INT'L	REJ DUE (FLD 12/09/05)	114537
	NIHEI, 734,245 TOYOTA TECHNO	(AAFR FLD 12/8/05) FR / (EXT TO 1/9/06) NOA (1X) DUE	117404
	OSANAI, 659,305 YUWA	(NOW DUE 01/09/06) FR/NOA (1X) DUE	117129
	DANIEL, 856,832 RENISHAW PLC.	(FLD 12/5/05) REJ (1X) DUE	110931.01
	SUZUKI, 713,269 KAWAKITA & ASSOC.	(NOW DUE 01/09/06) FR/NOA (1X) DUE	108946.01
	ITOH, 216,271 NIKON	(FLD 12/9/05) REJ (1X) DUE	032365.02
	DUNHILL, 759,168 ROLLS ROYCE PLC	(FLD 12/09/05) REJ (1X) DUE	118286
	SASAKI, 213,863 HOSHIMIYA	(FLD 12/09/05) MISSING PARTS (1X) DUE	123094.01
	ITOH, 930,897 SEIKO-EPSON CORP.	(NOW DUE 01/09/06) APPEAL BRIEF (1X) DUE	038179.07
	NODA, 257,211 K. WATANABE & ASSOC.	(FLD 12/7/05) NOA (1X) DUE	113987
	YANG, 584,268 NAGAI & ASSOC.	(FLD 12/7/05) APPEAL BRIEF (1X) DUE	106327
	KOBAYASHI, 345,235 TAIYO, NAKAJIMA & KATO	(FLD 12/7/05) FR/NOA (1X) DUE	114713
	NAKAMURA, 353,932 SUGIMURA INT'L	(FLD 12/09/05) REJ (1X) DUE	114859
	SEGUCHI, 126,297 PATENT DEV. INT'L INC.	(FLD 12/8/05) REJ (1X) DUE	123877
	HURWITZ, 524,112 GILL JENNINGS	(FLD 12/09/05) MISSING PARTS (4X) DUE	115572.04
	PFENNINGER, 318,086	(FLD 12/09/05) RESTRICTION/ELECTION DUE	114233

	. SCHAAD, BALASS		
	KAWATA, 756,409 SEIKO-EPSON	(RCE FLD 11/15/05) NOA 1X-DUE	118006

PROVISIONAL APPLICATION  
FILED \_\_\_\_\_  
SERIAL NO. \_\_\_\_\_  
PRIORITY DUE DATE \_\_\_\_\_

OLIFF & BERRIDGE, PLC  
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ALEXANDRIA, VIRGINIA 22314

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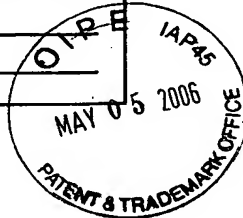
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☐ CIP of ☐ Continuation of ☐ Divisional of ☐ National Stage of PCT.

Serial No. \_\_\_\_\_

Filed \_\_\_\_\_

Maintenance Fees		
Due	Paid	Amount
1. _____	_____	\$ _____
2. _____	_____	\$ _____
3. _____	_____	\$ _____



MALL ENTITY ☐: Assertion Filed \_\_\_\_\_

NGB Corporation  
CLIENT

B01-159214M/~~1111~~ TRK  
CLIENT REF NO.

Takunori KATO et al

INVENTOR(S)

10/667,425

APPL. SERIAL NO.

September 23, 2003

FILING DATE

IP telephone apparatus and IP telephone system

INVENTION TITLE

JAO

MEMBER

KDB ~~TRK~~

WORKING ATTORNEY

2643

GROUP ART UNIT

S. WOO

EXAMINER

571-272-7512

EXAMINER PHONE NO.

CLIENT/ASSOCIATE ATT.

NGB

APPL. SER. NO.

10/667,425

INVENTOR

KATO et al.

11

ASSIGNEE(S): Brother Kogyo Kabushiki Kaisha

Description of Paper	Date of Paper	Due Date (If Any)
Applnt, DEC, ASSIGN, IDS, CEP	9-23-03	9-30-03
NTECAP	12/16/03	2/16/04
RTNTECAP w/ FORMAL DRAWINGS, PALM	2/12/2004	
Status Inq	3/23/05	
Rejection	7-1-05	10-1-05
(1x)		11-1-05
Pat For Ent; And.	10-26-05	
IDS	1/13/06	

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Publication Number

6/10/04

Publication Date

NON-PATENT